

DECISION RECORD
and
FINDING OF NO SIGNIFICANT IMPACT
for
BRISTOL BAY CELLULAR PARTNERSHIP COMMUNICATION SITE

I. Decision:

It is my decision that the Bureau of Land Management (BLM) grant a right-of-way (R-O-W) to the Bristol Bay Cellular Partnership for a period of 25 years, with the right of renewal, pursuant to Title V of the Federal Land Policy and Management Act of 1976 and 43 CFR 2800. The R-O-W is for a communication site. The R-O-W is located at T. 14 S., R. 41 W., Section 33, E $\frac{1}{2}$ NE $\frac{1}{4}$, and Section 34, W $\frac{1}{2}$ NW $\frac{1}{4}$, Seward Meridian.

The standard mitigation measures for this type of action are adopted as stipulations and attached to the Decision Record and the authorizing document.

II. Rationale for Decision:

No land use plan exists for this area. However, the environmental analysis assesses the impacts of the Proposed Action and provides a basis for a decision on the proposal (43 CFR 1610.8 (b)(1)). The decision to allow the Proposed Action does not result in any undue or unnecessary environmental degradation. The Proposed Action will authorize the Bristol Bay Cellular Partnership to have their communication site on federally owned land.

III. Finding of No Significant Impact:

Based on the analysis of potential environmental impacts contained in the attached environmental assessment, I have determined that the impacts are not expected to be significant and an environmental impact statement is not required.

IV. ANILCA Section 810 Compliance:

No significant restrictions of subsistence uses under Section 810 of the Alaska National Interest Lands Conservation Act (ANILCA) have been found.

/s/ Nick Douglas
Anchorage Field Manager

December 13, 1999
Date

STIPULATIONS

1. The holder shall not install nor allow the installation of any other organization's electronic equipment in the holder's building, or attachment to the holder's antenna support structures, without the new organization obtaining a separate R-O-W grant from the BLM for the joint occupancy of the said facility.
2. Each electronic type station installation authorized by this grant shall be operated in conformity with the requirements of the Federal Communications Commission or, in the case of Federal Government installation operations, in accordance with the Interdepartmental Radio Advisory Committee agreements.
3. The holder shall notify the authorized officer of any intent to locate additional users within or upon their existing facilities, not less than 45 days prior to occupancy of holders's facilities. Information that must be included is:
 - a. Name, current address, and phone number of the third party.
 - b. Expected date of occupancy.
 - c. A photo or sketch illustrating the type of antenna to be installed, as well as any other planned physical changes to the exterior facilities operated by the holder. If the proposed use is not specified in the original R-O-W grant, an amendment will be required.
4. The holder shall accept all applications for compatible uses of the facility on a first-come, first-served basis. If an applicant agrees to comply with all the terms and conditions for use of the site contained herein, obtains a Federal Communication Commission or Interdepartmental Radio Advisory Committee authorization, and there is space available, the holder may not refuse to enter into a use agreement with an applicant.
5. At any time a government agency wishes to make use of the facility, its application shall become the first application in line for available space.
6. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. The holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.

7. The antenna support structure (towers) shall be galvanized steel. The tower shall reflect uniformity of design and materials for the entire site. Antenna tower(s) shall be jointly used when electronically compatible. If the location of tower(s) and guy wires will create conflicts with ground personnel, vehicles, and equipment, or any other safety hazard, tower(s) shall be self-supporting.
8. All waste materials must be removed from the site as they are generated. Any hazardous material spills (including petroleum products) must be remediated in accordance with current Federal and State regulations.
9. In the event the grant is terminated for any cause, the holder agrees that, if the authorized officer so elects, the holder will convey by quitclaim deed all improvements on the site necessary to operate the multi-user facility (other than equipment on site used solely by the holder) to the next holder authorized by the BLM, upon payment of fair market value as determined by the BLM appraisal for the improvements on the date of termination.
10. Nine months prior to termination of the R-O-W, the holder shall contact the authorized officer to arrange a joint inspection of the R-O-W. This inspection will be held to agree to an acceptable termination (and rehabilitation) plan. This plan shall include but is not limited to, the removal of facilities. The authorized officer must approve the plan in writing prior to the holder's commencement of any termination activities.